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TRADE AND DEVELOPMENT BOARD
Fortieth session
Second part
Geneva, 18 April 1994
Item 1(a) of the provisional agenda

ADOPTION OF THE AGENDA AND ORGANIZATION OF THE WORK OF THE SESSION

Provisional agenda and annotations for the second part of the fortieth session of the Board

Introductory note

The secretariat's annotations are intended to furnish essential background information covering the provisional agenda items, together with a brief description of the relevant documentation (sections I and II).

Sections III and IV give, respectively, the current membership of the Bureau of the fortieth session of the Board and the checklist of documents relating to all agenda items.

I. PROVISIONAL AGENDA ¹

1. Procedural matters:
 - (a) Adoption of the agenda and organization of the work of the session;
 - (b) Adoption of the report on credentials;
 - (c) Provisional agenda for the first part of the forty-first session of the Board;
 - (d) Provisional agenda for the pre-session executive session of the Board in September 1994;
 - (e)* Designation of the President of the forty-first session of the Board
2. Trade policies, structural adjustment and economic reform:

Increased participation in international trade in goods and services by developing countries and economies in transition: some problems and opportunities
3. Developments and issues in the Uruguay Round of particular concern to developing countries
4. Sustainable development:

The effect of internalization of external costs on sustainable development
5. Review of progress in the implementation of the Programme of Action for the Least Developed Countries for the 1990s
6. UNCTAD's contribution to the implementation of the United Nations New Agenda for the Development of Africa in the 1990s:

Investment promotion, foreign direct investment, transfer of technology
7. Review and evaluation of work programmes (mid-term) ²

¹ Approved by the Board at its 832nd (closing) meeting, on 1 October 1993.

² Item to be concluded at the resumed second part of the fortieth session of the Board (25-27 May 1994).

8. Other matters in the field of trade and development
- (a) Report of the International Trade Centre UNCTAD/GATT on its twenty-sixth session
- 9.* Reports and activities of the subsidiary bodies of the Board: matters requiring action
- [to be completed in the light of developments]
- 10.** Arrangements for the celebration of the thirtieth anniversary of UNCTAD
11. Institutional, organizational, administrative and related matters:
- (a)* Treatment of new States members of UNCTAD for purposes of elections;
- (b)* Membership of the Trade and Development Board;
- (c)* Membership of the Standing Committees and Ad Hoc Working Groups;
- (d) Designation of intergovernmental bodies for the purposes of rule 76 of the rules of procedure of the Board;
- (e) Designation and classification of non-governmental organizations for the purposes of rule 77 of the rules of procedure of the Board;
- (f) Status of the European Community in the Special Committee on Preferences
- (g) Review of the calendar of meetings;
- (h) Administrative and financial implications of the actions of the Board
12. Other business
13. Adoption of the report of the Board.

* Items allocated to the pre-sessional executive session for action.

** Item allocated to the pre-sessional executive session but to remain open for further discussion at the current regular session.

II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1 - Procedural matters

The rules of procedure of the Board are contained in TD/B/16/Rev.4 and Corr.1.

Item 1(a) - Adoption of the agenda and organization of the work of the session

Agenda

The provisional agenda for the second part of the fortieth session, approved by the Board at its 832nd plenary meeting on 1 October 1993, is reproduced in Section I above.

In accordance with the provisions of paragraph 67 of the Cartagena Commitment, certain items have been referred to the pre-sessional executive session for action.

Documentation

TD/B/40(2)/1	Provisional agenda and annotations
TD/B/40(2)/1/Add.1	Addendum

Organization of work

The proposals for the organization of work of the session, as approved by the Consultations of the Secretary-General of UNCTAD on 17 January 1994, are contained in the document referred to below.

Documentation

TD/B/40(2)/1/Add.2	Organization of work of the session
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Item 1(b) - Adoption of the report on credentials

"The Bureau of the Board shall examine the credentials and submit their report to the Board." (Rule 17, paragraph 2, of the Rules of Procedure of the Board.)

In-session documentation

Item 1(c) - Provisional agenda for the first part of the forty-first session of the Board

Pursuant to rule 8 of the Rules of Procedure of the Board, the Secretary-General of UNCTAD will submit during the session a draft provisional agenda for the first part of the forty-first session of the Board.

In-session documentation

Item 1(d) - Provisional agenda for the pre-session executive session of the Board in September 1994

The Board may wish to request the Secretary-General of UNCTAD to draw up a draft provisional agenda in the light of developments nearer to the time of the session, and to submit it for approval to the consultative machinery established in accordance with paragraph 83 of the Cartagena Commitment.

No documentation

Item 2 - Trade policies, structural adjustment and economic reform:

- Increased participation in international trade in goods and services by developing countries and economies in transition: some problems and opportunities

In paragraph 63 (1) of the Cartagena Commitment, the Conference stated that it is crucial to ensure the enhanced participation in the world economy of developing countries, as well as countries undergoing the process of transition to market economies.

In paragraph 128, the Conference agreed that the trade policy reforms, structural adjustment and trade liberalization efforts by developing countries should be supported by the international community through adequate improved market access and increased flows of financial resources.

In paragraph 129, the Conference invited member countries to support the transition of countries in Central and Eastern Europe to a market economy and to liberalize their trade regimes vis-à-vis all of them. The Conference held the view that it is important that discriminatory measures aimed specifically at these countries be abolished and that non-tariff measures which affect their exports be relaxed on a MFN basis. At the same time, the interests of the world economy would be best served if the trade regimes that are emerging in the Central and Eastern European countries are kept open to imports from all potential trading partners, without prejudice to preferential agreements under the relevant provisions of GATT. Special attention should be paid in this regard to trade with developing countries, in accordance with international commitments on differential and more favourable treatment for them.

In paragraph 129, the Conference also called for a periodic assessment of the above process by the Board and for UNCTAD to identify the opportunities resulting from the developments for the mutual benefit of developing countries and individual countries of Central and Eastern Europe.

The Board will have before it a report relating to the participation in international trade by developing countries and economies in transition, problems and opportunities for trade among economies in transition, and trade and economic cooperation between developing countries and economies in transition.

Documentation

TD/B/40(2)/7 Trade policies, structural adjustment and economic reform: increased participation in international trade in goods and services by developing countries and economies in transition: some problems and opportunities
Report by the UNCTAD secretariat

Item 3 Developments and issues in the Uruguay Round of particular concern to developing countries

In its resolutions 45/206 of 21 December 1990 and 46/209 of 20 December 1991, the General Assembly invited the eighth session of the Conference to assess the outcome of the Uruguay Round. In the absence of an outcome at that stage, the Conference, in paragraph 144 of the Cartagena Commitment, requested the Trade and Development Board to analyze and assess the outcome of the Uruguay Round, in particular in areas of interest or concern to developing countries, and its impact on the international trading system.

The Board has continued to discuss developments in the Uruguay Round at its regular sessions. Its third executive session, on 27 April 1993, was devoted to discussions on this issue at a high level. The President's summing-up of discussions under this item at the first part of the fortieth session of the Board drew attention to the recognition that UNCTAD had an important role to play in the analysis and assessment of the outcome of the Round.

In its resolution 48/55, of 10 December 1993, on "International trade and development", the General Assembly reaffirmed the Message from the Trade and Development Board to the Governments participating in the Round (adopted by the Board at the second part of its thirty-ninth session).

On 15 December 1993 the Final Act embodying the results of the Uruguay Round was adopted by the Trade Negotiations Committee (TNC). The Final Act, which provides for the establishment of a World Trade Organization, will be formally signed by participants at the Ministerial Meeting of the TNC convened for this purpose in Marrakesh, Morocco (12-15 April 1994).

To assist the Board in launching its analysis and assessment of the outcome of the Round, the secretariat will submit, as a basis for discussion, a brief conference room paper.

Documentation

TD/B/40(2)/CRP.1

Analysis and assessment of the Uruguay Round, in particular in areas of interest or concern to developing countries, and its impact on the international trading system
Note by the UNCTAD secretariat

Item 4 - Sustainable development:

- The effect of internalization of external costs on sustainable development

By decision 402 (XXXIX) of 26 March 1993, on sustainable development, the Board decided that henceforth, at the first part of each of its annual sessions, it would consider a topic under the theme "Trade and environment", and that at its spring sessions it would consider another theme or themes on sustainable development. Annexed to the same decision, in response to General Assembly resolution 47/191, is a report on the Board's specific plans to implement Agenda 21.

In its conclusions 407 (XL) of 1 October 1993, on sustainable development, the Board noted that the broad convergence which had emerged from its discussions under this item included the view that the efforts of individual countries to promote the internalization of externalities should be encouraged and given wide international support.

In paragraph 4 of the same conclusions, the Board recommended that, at the second part of its fortieth session, it should consider the theme "The effect of the internalization of external costs on sustainable development".

Accordingly, the Board will have before it a report in which the basic principles for internalization, particularly the resource pricing principle, and the impact on sustainable development of policy-induced distortions, are discussed; the primary instruments for internalization are reviewed, and consideration given to the choice of an appropriate policy mix (chapter III). Chapter IV is devoted to the international dimension, focusing on cooperative instruments for internalization in the fields of finance, commodities, trade

and environmentally sound technologies. Chapter V contains the secretariat's conclusions and suggestions for future work in UNCTAD on internalization.

Documentation.

TD/B/40(2)/6 Sustainable development: the effect
of internalization of external costs
Report by the UNCTAD secretariat

Item 5 Review of progress in the implementation of the Programme of
Action for the Least Developed Countries for the 1990s

Pursuant to the relevant provisions of the Programme of Action, the Cartagena Commitment and General Assembly resolution 45/206, of 21 December 1990, the Board has undertaken, at each of its annual spring sessions since 1991, a global review of progress in the implementation of the Programme of Action.

In its resolution 48/171, of 21 December 1993, the General Assembly, inter alia, stressed the importance of effective follow-up and monitoring mechanisms for the Programme of Action, noted that the regular follow-up undertaken by the Trade and Development Board on the basis of the annual Report on the Least Developed Countries helped contribute to the development dialogue between the LDCs and their development partners, and urged that that exercise be strengthened. The Assembly also called upon UNCTAD to initiate further innovative measures to mobilize adequate resources for the effective implementation of the Programme of Action.

It will be recalled that in paragraph 7(a) of its resolution 45/206, the General Assembly called for UNCTAD's Intergovernmental Group on the Least Developed Countries to meet in 1995 "to carry out the mid-term review of the situation of those countries, report to the General Assembly on progress made in the implementation of the Programme of Action and consider new measures as necessary." This mandate was revised by virtue of resolution 48/171, in which the Assembly decided to convene a "high-level intergovernmental meeting" in the early part of September 1995, or any other suitable date during the second half of 1995 (para.16) and termed the meeting as "mid-term global review conference" (para.18). The Assembly stressed that the mid-term review should be organized by UNCTAD in accordance with paragraph 40 of the Programme of Action and that the results would be submitted to the General Assembly.

The General Assembly also reiterated its request to the Secretary-General of United Nations, contained in resolution 46/156, to mobilize extra-budgetary resources to ensure the participation of at least one representative from each least developed country at the spring sessions of the Board and at the preparatory phases for the Conference, as well as the effective participation of representatives of the least developed countries in the Conference itself.

In the same resolution, the Assembly stressed the importance of timely, adequate and thorough preparations for the mid-term global review and requested the Trade and Development Board to "consider, at its spring session in 1994, the elaboration of the preparatory activities for the mid-term global review conference, including intergovernmental, expert, sectoral and inter-agency preparatory meetings and the substantive documentation"; and decided that at its forty-ninth session it would consider the recommendations of the Trade and Development Board concerning preparations for the mid-term global review, as well as the question of meeting the cost of full and effective participation of representatives of the least developed countries in the Conference.

In accordance with paragraph 66 of the Cartagena Commitment, the Least Developed Countries 1993-1994 Report will be made available.

Documentation

TD/B/40(2)/11- UNCTAD/LDC(1993)	The Least Developed Countries, 1993-1994 Report
TD/B/40(2)/11 (Overview)	<u>Idem</u> , Overview

Item 6 - UNCTAD's contribution to the implementation of the United Nations New Agenda for the Development of Africa in the 1990s:

- Investment promotion, foreign direct investment, transfer of technology

At its 816th plenary meeting on 14 October 1992, the Board adopted a decision concerning UNCTAD's contribution to the implementation of the United Nations New Agenda for the Development of Africa in the 1990s,³ whereby the Secretary-General of UNCTAD was requested to undertake Africa-specific studies, analyses and reports on specific issue areas. For the spring session in 1994, the Board requested that a report be submitted on "Investment promotion, foreign direct investment, transfer of technology".

By the same decision, the Board requested the Secretary-General of UNCTAD to present progress reports on UNCTAD's contribution to the implementation of the New Agenda to the spring sessions of the Board.

³ For the text of the decision, see report of the Trade and Development Board on the first part of its thirty-ninth session (TD/B/39(1)/15, Part I, Section B.6).

The Board will thus have before it a report, Part II of which draws attention to some obstacles to investment in Africa and how African Governments have been responding, particularly since the 1980s; Part III discusses measures to encourage increased domestic investment and foreign direct investment, as well as the associated technology transfer; and Part IV suggests possible areas for further action (policies which could be introduced and new initiatives which could be taken).

A brief progress report concerning UNCTAD's on-going activities in contributing to the implementation of the New Agenda will be made available in a conference room paper.

Documentation

TD/B/40(2)/9	UNCTAD's contribution to the implementation of the United Nations New Agenda for the Development of Africa in the 1990s: investment promotion, foreign direct investment, transfer of technology Report of the Secretary-General of UNCTAD
TD/B/40(2)/CRP.2	UNCTAD's contribution to the implementation of the United Nations New Agenda for the Development of Africa in the 1990s Progress report of the Secretary-General of UNCTAD

Item 7 -

Review and evaluation of work programmes (mid-term)

In paragraph 58 of the Cartagena Commitment, the Conference called for the Board to conduct, midway between Conferences, a review and evaluation of the work programme of the intergovernmental machinery, including its own; of technical assistance programmes; and, bearing in mind the calendar established in this regard, of the programme budget and medium-term plan, so as to ensure full integration of all work undertaken by UNCTAD and to establish or adjust priorities for the period up to the following Conference.

In approving the draft calendar of meetings for 1994 the Board, at the first part of its fortieth session, decided that it would resume the second part of its fortieth session from 25 to 27 May 1994, for the purpose of conducting the mid-term review.

At the Consultations of the Secretary-General of UNCTAD on 17 January 1994, discussions concerning the mid-term review focused on an informal issues note drawn up by the Secretary-General of UNCTAD on the basis of wide-ranging informal discussions he had held with a cross-section of delegations.

The Consultations decided to establish a Mid-term Review Informal Working Group which would report to an executive session of the Board or to the regular session in April 1994. The intention would be to carry forward as far as possible the work of the mid-term review, including if possible the preparation of a draft document for adoption by the Board at its mid-term review session (May 1994).

In the context of informal consultations on the organization of the work of the present session, it was agreed that the Board should devote two meetings to a review of the progress of the work of the Informal Working Group and other aspects of the preparatory work required for the mid-term review.

In-session documentation

- Item 8 - Other matters in the field of trade and development
- Item 8(a) - Report of the International Trade Centre UNCTAD/GATT on its twenty-sixth session

The Joint Advisory Group on the International Trade Centre UNCTAD/GATT held its twenty-sixth session from 8 to 11 November 1993. The report on the session will be before the Board.

Attention is drawn to paragraphs 9-18 of the report, containing a summary of the statement by the Officer-in-Charge of the ITC, in which he provided supplementary information to the report on the Centre's activities in 1992; and to paragraph 19, containing proposals for the celebration of the thirtieth anniversary of the International Trade Centre in 1994.

Attention is also drawn to the summary of the general debate, contained in paragraphs 20 - 38 of the report.

Documentation

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|-------------------------------|--|
| TD/B/40(2)/8 | Note by the UNCTAD secretariat |
| ITC/AG(XXVI)/139
and Add.1 | Report of the Joint Advisory Group on the International Trade Centre UNCTAD/GATT on its twenty-sixth session |

- Item 10 - Arrangements for the celebration of the thirtieth anniversary of UNCTAD

Provision has been made for discussion on the arrangements for the celebration of the thirtieth anniversary of UNCTAD in the light of the outcome on the report of the President of the thirty-ninth session on this issue to the pre-session executive session.

No documentation

Item 11 - Institutional, organizational, administrative and related matters

Item 11(d) - Designation of intergovernmental bodies for the purposes of rule 76 of the rules of procedure of the Board

A list of the 103 IGOs in status with UNCTAD is contained in TD/B/INF.106/Rev.5 and Add.1-2.

Any new applications will be reflected in an addendum to present document

No documentation

Item 11(e) - Designation and classification of non-governmental organizations for the purposes of rule 77 of the rules of procedure of the Board

At present there are 162 NGOs in status with UNCTAD - 75 in the General Category and 87 in the Special Category. A list of these is contained in TD/B/INF.107/Rev.6 and Add.1.

Any new applications will be reflected in an addendum to the present document.

No documentation

Item 11(f) - Status of the European Community in the Special Committee on Preferences

In a communication dated 11 March 1993, addressed to the Deputy Secretary-General of UNCTAD, the Commission of the European Community requested that it be granted membership status in the Special Committee on Preferences, i.e. the same status which it had been granted in the Intergovernmental Group of Experts on Restrictive Business Practices.

By letter of 29 September 1993 to the Secretary-General of UNCTAD, the Permanent Representative of Belgium, on behalf of the European Community and its member States, requested that the question of the status of the European Community in the Special Committee on Preferences be inscribed in the agenda for the second part of the fortieth session of the Board.

In approving the provisional agenda for the second part of its fortieth session, the Board took note of the related understanding pertaining to item 11 (f), reached in informal consultations, that the inclusion of the item was contingent on the delegation which had proposed the item submitting, in due course, an explanatory memorandum in accordance with the Rules of Procedure of the Board.

In accordance with the Board's decision concerning the inclusion of this item on the agenda, the European Union will circulate an explanatory memorandum.

Documentation

TD/B/40(2)/14

Note by the UNCTAD secretariat

Status of the European Community in the Special Committee on Preferences: communication submitted by the Permanent Representative of Greece on behalf of the European Union

Item 11(g) - Review of the calendar of meetings

The Board will have before it the revised calendar of meetings for 1994, as approved by the Consultations of the Secretary-General of UNCTAD, together with a note on any further adjustments recommended by the Calendar Group.

A draft indicative calendar for 1995 will be annexed for planning purposes.

This item will remain open for the resumed second part of the fortieth session, in order to take into account any amendments called for by the mid-term review.

Documentation

TD/B/40(2)/L.1

Review of the calendar of meetings

Item 11(h) - Administrative and financial implications of the actions of the Board

The Board will be informed during the session of the administrative and financial implications of any proposals before it.

Item 12 - Other business

Item 13 - Adoption of the report of the Board

In accordance with Board decision 259 (XXV), two versions of the report of the Board are prepared: (a) the report of the Board to the General Assembly, containing the resolutions and decisions of the Board and any other material which the Board decides to transmit to the Assembly; and (b) the full account of the Board's proceedings. These two volumes constitute the official record of the Board's session.

In conformity with established procedure, the report on the second part of the fortieth session of the Board will be submitted to the General Assembly through the Economic and Social Council.

**III. BUREAU OF THE FORTIETH SESSION OF THE TRADE AND DEVELOPMENT BOARD,
ELECTED AT THE FIRST PART OF THE SESSION**

President: H.E. Mr. Al Shérif Pawaz SHARAF (Jordan)

Vice-Presidents: H.E. Mr. Alfredo A. PINOARGOTE-CEVALLOS (Ecuador)
H.E. Mr. Satish CHANDRA (India)
H.E. Mr. Mohamed ENNACEUR (Tunisia)
Mr. Akio IJUIN (Japan)
H.E. Mr. Richard A. PIERCE (Jamaica)
Mr. Clarke RODGERS Jr. (United States of America)
H.E. Mr. Ali Ahmed SAHLOUL (Sudan)
Mr. Yuri AFANASIEV (Russian Federation)
Mr. Jean de SCHOUTHEETE de Tervarent (Belgium)
Mr. Zdenek VENERA (Czech Republic)

Rapporteur: Mr. Marcel VAN DER KOLK (Netherlands)

Sessional Committee I

Chairman: H.E. Mr. Antti HYNINEN (Finland)

Vice-Chairman-cum-Rapporteur: Mr. Evgueni MANAKINE (Russian Federation)

Sessional Committee II

Chairman: Mr. Leslie GATAN (Philippines)

Vice-Chairman-cum-Rapporteur: Mr. Hermann ASCHENTRUPP TOLEDO (Mexico)

IV. CHECKLIST OF DOCUMENTS

Item 1(a) - Adoption of the agenda and organization of the work of the session

TD/B/40(2)/1	Provisional agenda and annotations
TD/B/40(2)/1/Add.1	Addendum
TD/B/40(2)/1/Add.2	Organization of work of the session

Item 1(b) - Adoption of the report on credentials

In-session documentation

Item 1(c) - Provisional agenda for the first part of the forty-first session of the Board

In-session documentation

Item 1(d) - Provisional agenda for the pre-session executive session of the Board in September 1994

No documentation

Item 2 - Trade policies, structural adjustment and economic reform:

- Increased participation in international trade in goods and services by developing countries and economies in transition: some problems and opportunities

TD/B/40(2)/7	Trade policies, structural adjustment and economic reform: increased participation in international trade in goods and services by developing countries and economies in transition: some problems and opportunities Report by the UNCTAD secretariat
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Item 3 - Developments and issues in the Uruguay Round of particular concern to developing countries

TD/B/40(2)/CRP.1	Analysis and assessment of the Uruguay Round, in particular in areas of interest or concern to developing countries, and its impact on the international trading system Note by the UNCTAD secretariat
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Item 4 - Sustainable development:

- The effect of internalization of external costs on sustainable development

TD/B/40(2)/6

Sustainable development: the effect of internalization of external costs
Report by the UNCTAD secretariat

Item 5 - Review of progress in the implementation of the Programme of Action for the Least Developed Countries for the 1990s

TD/B/40(2)/11-
UNCTAD/LDC (1993)

The Least Developed Countries, 1993-1994 Report

TD/B/40(2)/11 (Overview)

Idem, Overview

General Assembly
resolution 48/171

Implementation of the Programme of Action for the Least Developed Countries for the 1990s

Item 6 - UNCTAD's contribution to the implementation of the United Nations New Agenda for the Development of Africa in the 1990s:

- Investment promotion, foreign direct investment, transfer of technology

TD/B/40(2)/9

UNCTAD's contribution to the implementation of the United Nations New Agenda for the Development of Africa in the 1990s: investment promotion, foreign direct investment, transfer of technology
Report of the Secretary-General of UNCTAD

TD/B/40(2)/CRP.2

UNCTAD's contribution to the implementation of the United Nations New Agenda for the Development of Africa in the 1990s
Progress report of the Secretary-General of UNCTAD

Item 7 - Review and evaluation of work programmes (mid-term)

In-session documentation

Item 8 - Other matters in the field of trade and development

Item 8(a) - Report of the International Trade Centre UNCTAD/GATT on its twenty-sixth session

TD/B/40(2)/8

Note by the UNCTAD secretariat

ITC/AG(XXVI)/139
and Add.1

Report of the Joint Advisory Group on the International Trade Centre UNCTAD/GATT on its twenty-sixth session

Item 10 - Arrangements for the celebration of the thirtieth anniversary of UNCTAD

No documentation

Item 11 - Institutional, organizational, administrative and related matters

Item 11(d) - Designation of intergovernmental bodies for the purposes of rule 76 of the rules of procedure of the Board

TD/B/INF.106/Rev.5
and Add.1-2

List of intergovernmental
organizations participating in the
activities of UNCTAD

Item 11(e) - Designation and classification of non-governmental organizations for the purposes of rule 77 of the rules of procedure of the Board

TD/B/INF.107/Rev.6
and Add.1

List of non-governmental
organizations participating in the
activities of UNCTAD

Item 11(f) - Status of the European Community in the Special Committee on Preferences

TD/B/40(2)/14

Note by the UNCTAD secretariat

Status of the European Community in
the Special Committee on Preferences:
communication submitted by the
Permanent Representative of Greece on
behalf of the European Union

Item 11(g) - Review of the calendar of meetings

TD/B/40(2)/L.1

Review of the calendar of meetings

Item 11(h) - Administrative and financial implications of the actions of the Board

No documentation

Item 12 - Other business

Item 13 - Adoption of the report of the Board

Final in-session documentation